

### AMENDMENTS TO THE CLAIMS

1-6 (Canceled).

7 (Presently Amended). A method for treating ~~bone~~ a vertebral body having an interior volume occupied, at least in part, by cancellous bone, the interior volume having an anterior-to-posterior anatomic measurement between interior cortical walls from an anterior cortex to a posterior cortex of the vertebral body, the interior volume also having a side-to-side anatomic measurement between internal cortical walls laterally across the vertebral body, the method comprising ~~the steps of:~~

~~inserting inside bone~~ introducing into the vertebral body through a percutaneous access path a void creation device comprising a body region adapted to undergo expansion in cancellous bone to ~~compact cancellous bone~~ form a void, the body region assuming a predetermined shape and size when substantially expanded including (i) an anterior-to-posterior dimension that is less than the anterior-to-posterior anatomic measurement, or (ii) a side-to-side dimension that is less than the side-to-side anatomic measurement, or both (i) and (ii), wherein the predetermined shape and size when substantially expanded is less than the interior volume, the region including material that undergoes stress ~~plastically deforms~~ as a result of the expansion in cancellous bone, and

expanding the body region in the cancellous bone to the predetermined shape and size ~~plastically deform the body while compacting cancellous bone~~ to create a void that occupies less than the interior volume, whereby, due to the stress, the body region cannot be relied upon to reach a desired geometry the predetermined shape and size during subsequent expansion in ~~bone~~ a vertebral body,

placing within the void through the percutaneous access path a volume of filling material,  
and

disposing of the void creation device ~~removing the plastically deformed body from the bone.~~

8 (Presently Amended). A method according to claim 7 or 25

further including the step of displacing at least a portion of a cortical bone section of the ~~bone~~ vertebral body while the body region expands in cancellous bone.

9 (Cancelled).

10 (Presently Amended). A method according to claim 7 or ~~[[9]]~~ 25

wherein the material comprises vinyl.

11 (Presently Amended). A method according to claim 7 or ~~[[9]]~~ 25  
wherein the material comprises nylon.

12 (Presently Amended). A method according to claim 7 or ~~[[9]]~~ 25  
wherein the material comprises polyethylene.

13 (Presently Amended). A method according to claim 7 or ~~[[9]]~~ 25  
wherein the material comprises an ionomer.

14 (Presently Amended). A method according to claim 7 or ~~[[9]]~~ 25  
wherein the material comprises polyurethane.

15 (Presently Amended). A method according to claim 7 or ~~[[9]]~~ 25  
wherein the material comprises polyethylene tetrathalate.

16 (Presently Amended). A material according to claim 7 or ~~[[9]]~~ 25  
wherein the material comprises latex.

17 (Presently Amended). A method according to claim 7 or ~~[[9]]~~ 25  
wherein the material comprises silicone.

18 (Previously presented). A method according to claim 7 ~~or~~ 25  
wherein the void created occupies about 30% to about 90% of the interior volume.

19 (Presently Amended). A method according to claim ~~18~~ 7 or 25  
wherein the void created occupies about 40% to about 90% of the interior volume.

20 (Presently Amended)). A method according to claim ~~[[9]]~~ 7 or 25  
wherein the void created occupies at least about 10% of the interior volume.

21 (Presently Amended). A method according to claim 7 ~~or 9~~, further including  
instructing against reuse of the ~~plastically deformed body~~ void creation device.

22 (New). A method according to claim 7 ~~or~~ 25  
wherein, during expansion, the region compacts cancellous bone.

23 (New). A method according to claim 7 ~~or~~ 25  
wherein the region comprises an inflatable body.

24 (New). A method according to claim 7 ~~or~~ 25  
wherein the region comprises a balloon.

25 (New). A method for treating a vertebral body having an interior volume occupied, at least in part, by cancellous bone, the interior volume having an anterior-to-posterior anatomic measurement between interior cortical walls from an anterior cortex to a posterior cortex of the vertebral body, the interior volume also having a side-to-side anatomic measurement between internal cortical walls laterally across the vertebral body, the method comprising

introducing into the vertebral body through a percutaneous access path a void creation device comprising a region adapted to undergo expansion in cancellous bone to form a void, the region assuming a predetermined shape and size when substantially expanded including (i) an anterior-to-posterior dimension that is less than the anterior-to-posterior anatomic measurement, or (ii) a side-to-side dimension that is less than the side-to-side anatomic measurement, or both (i) and (ii), wherein the predetermined shape and size when substantially expanded is less than the interior volume, and

expanding the region in the cancellous bone to the predetermined shape and size to create a void that occupies less than the interior volume, and

placing within the void through the percutaneous access path a volume of filling material.

26 (New). A method comprising:

creating a percutaneous access path to a vertebra;

inserting into the vertebra, through the percutaneous access path, a tool with an expandable portion;

expanding the expandable portion within the vertebra to define a bounded volume bounded, at least in part, by a boundary having an inner layer and an outer layer, the inner layer including compacted cancellous bone, the outer layer including noncompacted cancellous bone; and

inserting into the bounded volume a filling material.

27 (New). The method of claim 26, wherein the inner layer is a first inner layer, and wherein said expanding the expandable portion within the vertebra includes creating a void that is bounded, at least in part, by a second inner layer comprising cortical bone.

28 (New). The method of claim 26, wherein the inner layer is a first inner layer, the outer layer is a first outer layer, and wherein said expanding the expandable portion within the vertebra includes creating a void that is bounded, at least in part, by a boundary having both a second inner layer comprising compacted cancellous bone and a second outer layer comprising cortical bone.

29 (New). The method of claim 26 or 27 or 28, wherein the inserting includes inserting into the void a liquid bone-filling material configured to harden within the void.

30 (New). The method of claim 26, wherein the expandable portion is configured to plastically deform as a result of expansion in the cancellous bone.

31 (New). The method of claim 30, further including removing the expandable portion from the cancellous bone.

32 (New). The method of claim 26, wherein during said expanding the expandable portion, the expandable portion assumes a predetermined shape and size when substantially expanded including (i) an anterior-to-posterior dimension that is less than an anterior-to-posterior anatomic measurement between interior cortical walls from an anterior cortex to a posterior cortex of the vertebra, or (ii) a side-to-side dimension that is less than a side-to-side anatomic measurement between internal cortical walls laterally across the vertebral body, or both (i) and (ii).